

Millennium Fund Application
Executive Summary
2010

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I. EXECUTIVE SUMMARY

Millennium Funded intervention programs have become an important part of Idaho's juvenile justice system. The Joint Millennium Fund Legislative Committee considers applications for programs and projects directly related to one or more of the following: (1) tobacco cessation or prevention; (2) substance abuse cessation or prevention; or (3) tobacco or substance abuse related disease treatment. The programs receiving Millennium Funds in Idaho through the Idaho Supreme Court address the first two of these concerns with youth who are at-risk for continued law violations involving tobacco, alcohol and substances abuse. Status Offense Programs and Youth Courts provide communities statewide with tools when supported by the courts and juvenile justice system to effectively and efficiently intervene, when intervention can be most effective for these young offenders to stop illegal use of tobacco and other substances.

The courts in partnership with the juvenile justice system have the capability to match the most effective intervention to the needs of the youthful offender and their family. Youth Courts and Status Offender Programs take advantage of this capability. The Courts in Idaho have the unique opportunity to lead this effort. Funding to facilitate this leadership generates action. Last year 1181 youth at-risk and 1056 family members of youth at-risk in 24 Idaho counties benefited from intervention programs funded through the Millennium Fund. Approximately 76 adults and 475 student Youth Court members were engaged with these youth and families as volunteers or program providers to help change law violating behaviors. The Idaho Supreme Court submits its Millennium Fund request for \$631,900 to fund programs to intervene in cases where young offenders smoke, abuse substances and engage in anti-social behavior and to obtain three (3) Tobacco and Alcohol Case Coordinators to assure underage tobacco and alcohol cases are appropriately addressed in the Fifth, Fourth and Third Districts.

Status Offender Programs

Status offenses, traditionally, truancy, curfew, incorrigible, runaway, and tobacco and substance abuse, have been referred to as "gateway crimes." Nationally reports show, the majority of juveniles who are involved in serious criminal behaviors usually began by committing these "gateway crimes." Programs for tobacco, substance abuse and status offenders include mental health and substance abuse assessments, tracking, mediation, mentoring, family training and counseling, individual counseling, drug and alcohol counseling, anger management, in-home support services, behavior and school contracts, drug and alcohol screenings, smoking and substance abuse cessation classes, testing for tobacco, alcohol and substance use and cognitive thinking change classes. In 2008, five (5) judicial districts with fifteen (15) counties had Status

Offender programs. Jefferson, Custer and Butte Counties have requested Millennium Funds for best evidence programs for their under age tobacco, alcohol and status offender cases for fiscal year 2010.

Youth Courts

Embracing at-risk youth and engaging them in a positive judicial setting is at the heart of the Youth Court. Youth Court is a highly regarded program that allows first time tobacco and alcohol offenders in Idaho to participate in a jury trial process with a jury made up of teen volunteers to determine the penalties for the referred offenders. Teen volunteers also perform the roles of prosecutor and defense attorney. Volunteer judges and lawyers oversee the proceedings to assure due process occurs. Young offenders and the teen volunteers gain an appreciation of Idaho's judicial system, as well as, gain respect for themselves and the community where they live. In 2008, this program served Idaho's youth in five (5) judicial districts and eleven (11) counties statewide. In FY10 we plan on having additional Youth Courts in the First District for Kootenai County and in the Second District in Latah County.

Tobacco and Alcohol Case Coordinator

Under Idaho law underage tobacco and alcohol cases are considered misdemeanors. At the discretion of the judge, these cases can be handled in the adult or juvenile system. Little effort has been made in the past to track what sentences and programs occur in these cases. With the national research indicating that early age use of these substances by adolescents affects their development and increases their potential for future law violations, Millennium Funds were used this past year to begin a pilot project to research and track these cases. The data thus far paints a troubling picture of lack of awareness by those involved in the system from county commissioners to judges about the outcome of these cases. With the exception of Youth Courts there appears to be little consistency of sentencing and outcomes. The Court seeks to continue the pilot project and include the Fourth and Third Districts in this effort. By using Tobacco and Alcohol Case Coordinators adolescent tobacco and alcohol cases can be tracked, new sentencing options developed and better outcomes from these cases can occur.

II. PROPOSAL

A. Organizational Background

The Idaho Supreme Court on behalf of Idaho's seven (7) Judicial Districts and the Judges of Idaho submit this application to address juvenile tobacco, substance abuse, and status offenses.

B. Purpose of Request: Goals and Outcomes

The Court's goal is to encourage communities when appropriate to intervene when a youthful offender engages in tobacco abuse, substance abuse or status offenses. Intervention is different than prevention because a behavior has occurred that has been brought to the attention of legal authority and is case specific. Substance abuse assessments can be used to assess and evaluate juveniles being considered for intervention. Prevention efforts target general populations.

When a juvenile has committed an act bringing the juvenile to attention of community legal authority the objective is for the community authority to divert appropriate cases from further judicial process by utilizing Status Offender or Youth Court programs. Diversion is provided under the Juvenile Correction Act of 1995. Diversion into Youth Courts or a Status Offender program can assure illegal behavior is appropriately and specifically addressed. Appropriately, addressing youthful offenders who smoke, use substances, or engage in status offenses can prevent future law violations, which is the ultimate goal.

The funds for Youth Courts and Status Offender programs requested by the Idaho Supreme Court are provided to the Judicial Districts to encourage the counties to develop and sustain best practice Status Offender and Youth Court programs. The short-term outcome is to assure communities; especially some of the smaller rural communities have funds for best practice programs for juvenile tobacco, substance abuse and status offenders. In the long term, the Court's overriding outcome is to assure juvenile offenders who smoke, abuse substances and engage in anti-social behavior are appropriately and adequately addressed so they will not recidivate.

The Robert Wood Johnson Foundation reports, "Even when substance abuse treatment and mental health services exist, they may not be coordinated. This lack of cooperation among service providers often leaves teens with fragmented services that are not as effective as they should be. Researchers have found that teens that receive coordinated comprehensive services are more likely to stay out of trouble and abstain from drug and alcohol use."

Minor in Possession of Alcohol and Tobacco cases can greatly benefit from the efforts of a coordinator. A Tobacco and Alcohol Case Coordinator can assure that timely assessments occur in all cases where one is ordered and work with the juvenile and their families to assure the necessary class or treatment happens. Also, a Tobacco and Alcohol Case Coordinator could keep records beyond mere completion that would help evaluate the effectiveness of a class or treatment, investigate best practice or model programs and assure all elements of the system are communicating effectively. Essentially, this person will perform a quality control function for underage alcohol and tobacco cases to ensure successful outcomes occur from the efforts of the courts. A pilot project was initiated in the Fifth District in May 2008. Thus far, the Tobacco and Alcohol Coordinator is developing information about how the current system addresses these cases and will be developing evidence based practice and program recommendation to the courts and counties. Based on the success of this initiative and the importance of this work the Court is requesting Millennium Funds for the existing pilot project in the Fifth District and Tobacco and

Alcohol Case Coordinators for both the Third District and the Fourth District. The Tobacco and Alcohol Coordinators will either be contract or county employees.

C. Organizational Capacity

The Idaho Juvenile Justice System lends itself uniquely to the effort to intervene at an early stage of tobacco, substance abuse and status offending behavior. The legislature in essence formed a partnership by breaking down the responsibilities needed to address juvenile justice between the local courts, counties and the State through the Department of Juvenile Corrections.

The Juvenile Delinquency Guidelines - Improving Court Practice in Juvenile Delinquency Cases published by the National Council of Juvenile and Family Court Judges notes sixteen Key Principles of a Juvenile Delinquency Court of Excellence. The first principle is Juvenile Delinquency Court Judges Should Engage in Judicial Leadership and Encourage System Collaboration. The sixth principle provides Juvenile Delinquency Court Judges Should Ensure Their Systems Divert Cases to Alternative Systems Whenever Possible and Appropriate. The Court's effort in applying and utilizing Millennium Funds relates to these two principles.

Judges and Idaho's Judicial System are engaged more and more as leaders to help communities collaborate to stem and criminal caseloads. These efforts must include the community. Judges can convene community members as has been done throughout the history of the Status Offender program and Youth Court efforts to formulate and encourage programs to address early criminal behavior. The Millennium Funds provide encouragement for these efforts by allowing at least some funding base. Current Status Offender and Youth Court programs receive additional funding from county and other sources except for a couple of programs in Idaho's smallest populated counties. The Millennium Funds encourage the participating counties, grant providers, and private benefactors by demonstrating the need for alternative best practice diversion programs for juvenile smokers, alcohol and drug abusers and youthful status offenders. The Court's ability to oversee these programs gives some assurance these programs are and will continue to be effective diversions from further judicial process. With the addition of Tobacco and Alcohol Coordinators, this court's ability to assure underage tobacco and alcohol cases are addressed to stop recidivism will be significantly enhanced.

The Status Offender programs staffs are direct service providers for youth providing accountability, counseling, education for parents and offenders and other services. As such, the violators are addressed individually. In the Youth Court, violators are directly involved in the process. Many Youth Courts, if appropriate, require as a condition of their sentence that violators sit on Youth Court jury panels. This gives the offender direct involvement and provides additional learning about their abuse and the impact on others.

D. Process

The Court Administrative Office provides Millennium Fund information to the Trial Court Administrators who then contact judges and juvenile justice professionals in their district to encourage their communities to use the funds. The Trial Court Administrators then provide requests from the communities to the Court Administrative Office and the requests are reviewed. The requests, which meet the guidelines of the Millennium Fund and the Court, are granted within the funding base.

Several ongoing Status Offender programs and Youth Courts have continued to request funding and those who are in conformance with the Court's requirements of reporting and demonstrati.g

efficacy have been funded. The Court's role is to essentially encourage these programs and assure funds are being used correctly. If a community wishes to begin a new program, then their existing juvenile justice infrastructure is expected to be utilized so the funds will be used directly to benefit youthful offenders.

Each program is responsible for their day-to-day operations. Idaho Supreme Court staff and the Trial Court Administrators assure all counties utilizing Millennium Funds understand the requirement of the Millennium Funds and the Court's reporting requirements.

The Court's unique position in Idaho's Juvenile Justice System gives it the opportunity to encourage intervention programs to remediate juvenile offenders who smoke, use alcohol and commit status offenses before the juvenile justice system has to become fully engaged.

E. Evaluation Plan

All programs utilizing the Millennium Funds received by the Court give monthly statistical and financial reports on their cases. These reports are tabulated to collect demographic, type of offense, programs utilized and other pertinent information. Sufficient identification information on the juveniles diverted to Youth Courts or Status Offender programs is provided so recidivism statistics can be accessed using the Court's ISTARS program. In the Court's report to the Millennium Fund Committee in August, the initial results of the recidivism study demonstrated promising results from the efforts of Youth Courts and Status Offender programs. Over time, the information generated will give the Court a tool to assure these programs do in fact work to reduce illegal behavior.

The Tobacco and Alcohol Case Coordinators will produce reports from the work that they perform evaluating the system, the cases they track and recommendations they make to strengthen the system. These reports will be used to inform the judges and counties on what efforts will in fact be most effective in addressing underage use of tobacco and alcohol cases.

F. Sustainability

The Idaho Judicial System will continue to be involved in juvenile justice cases as mandated by Legislation. The Court will continue to seek additional resources, such as the Millennium Fund to help its leadership role in encouraging Idaho's communities to address the serious need to intervene with youthful smokers, drug and alcohol abusers, and status offenders.

III. BUDGET

In the budget setout below, personnel is defined as program county staff hired to provide direct services for their Youth Court or Status Offender program, such as, mental health and substance abuse assessments, tracking, mediation, mentoring, family training and counseling, individual counseling, drug and alcohol counseling, anger management, in-home support services, behavior and school contracts, drug and alcohol screenings, smoking and substance abuse cessation classes, testing for tobacco, alcohol and substance use, cognitive thinking change classes and organizational and coordination requirements for youth court. Direct Services are defined as contractors hired by the county to perform assessments, training, counseling or other services program staff cannot perform. Operating costs consists of postage, photocopies, program materials, etc. Finally, travel is budgeted at the current state rate.

The Court is requesting additional Millennium Funds this year to continue the Tobacco and Alcohol Case Coordinator Project in the Fifth District and to add Coordinators for the Third and Fourth Districts. These positions will be private contractors or county employees who will work with the Trial Court Administrators to review how Idaho's Judicial Districts currently process under age tobacco and alcohol cases, to research evidence based practices and programs to address these cases and to coordinate and track underage tobacco and alcohol cases to assure the sentences and programs imposed reduce use of tobacco and alcohol by the offenders and reduce recidivism. The Coordinators will help the Judicial Districts implement evidence based practices and programs to deal with underage tobacco and alcohol cases.

Additional funds are also being requested to implement Status Offender programs for several rural counties in the Seventh Districts and enhance Millennium Funded programs in the Sixth District. Based on the success Madison County has experienced with the Not of Tobacco (NOT) program, Jefferson, Butte and Custer Counties, all rural counties, have requested Millennium Funds to provide the NOT program, Parenting Project and Thinking for Change classes. These are evidence based or empirically supported programs.

The Sixth District also requested additional funds to enhance their Status Offender program by contracting with a private counselor to work with the higher risk families of some status offenders. The private counselor will provide clinical family assessments, individual and family counseling services and Parenting with Love and Limits counseling sessions. The Office of Juvenile Justice and Delinquency Prevention rate Parenting with Love and Limits as an exemplary parent-training program.

Attached is a breakout of the Millennium Funds budget going to the various participating counties. Other counties may wish to participate and the budget will then be modified upon the Court's review if appropriate.